

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

LARENZ MCINNIS,

Plaintiff,

v.

CASE NO: 16-CV-13525

OFFICER FREDERICK AND DETECTIVE
MENDHAM, et al.,

Defendants.

/

**ORDER ADOPTING MAGISTRATE JUDGE'S REPORT
AND RECOMMENDATION**

This matter was referred to United States Magistrate Anthony P. Patti pursuant to 28 U.S.C. §636(b)(1)(B) and Local Rule 72.1. In his report filed on November 16, 2018, the magistrate judge recommended that this court grant Defendants' [Dkt #21] Motion for Summary Judgment and decline to exercise supplemental jurisdiction over Plaintiff's state law claims against them and dismiss the John Doe Defendant(s) for failure to substitute named parties. No objections have been filed pursuant to 28 U.S.C. § 636(b)(1)(C), thus further appeal rights are waived.¹

The court ADOPTS the Report and Recommendation for purposes of this Order.

Accordingly, IT IS ORDERED that, for the reasons set forth in the Magistrate Judge's "Report and Recommendation", Defendants Mendham and Frederick's Motion for Summary

¹The failure to object to the magistrate judge's report releases the court from its duty to independently review the motion. *Thomas v. Arn*, 474 U.S. 140, 149 (1985).

Judgment [Dkt# 21] is **GRANTED** and the John Doe Defendant(s) are **DISMISSED** for failure to prosecute.

IT IS FURTHER ORDERED that the Court declines to exercise supplemental jurisdiction over the Plaintiff's state law claims.

S/Robert H. Cleland
ROBERT H. CLELAND
UNITED STATES DISTRICT JUDGE

Dated: January 15, 2019

I hereby certify that a copy of the foregoing document was mailed to counsel of record and/or pro se parties on this date, January 15, 2019, by electronic and/or ordinary mail.

S/Lisa Wagner
Case Manager and Deputy Clerk
(810) 292-6522